

JAN - 8 2004



U.S. Immigration
and Customs
Enforcement

CO. 703.831

The Honorable John Conyers Jr.
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Conyers:

Thank you for your letter of December 15, 2003, to Asa Hutchinson, Under Secretary for Border and Transportation Security, regarding the investigation and detention decisions made concerning Malik Jarno, a detainee facing removal. Your letter was referred to U.S. Immigration and Customs Enforcement (ICE) within the Border and Transportation Security Directorate for response. We apologize for the delay in responding.

We appreciate your concerns regarding the handling of Mr. Jarno's case and are conducting a review to be certain that the case was handled appropriately. We will advise you of the results of our review shortly.

Regarding Mr. Jarno's removal from the United States, please be advised that the Board of Immigration Appeals (within the Department of Justice) has recently granted Mr. Jarno's motion to reopen his immigration proceedings based on new evidence regarding his asylum claim. At this time, therefore, Mr. Jarno cannot be removed from the United States and there is no need for ICE to consider the requests for deferred action. Rather than keep Mr. Jarno in continued detention during the reopened proceedings, Mr. Jarno was released on December 24, 2003, to the International Friendship House.

We trust this letter provides you with the most current information relative to Mr. Jarno and the status of the case. If we may be of additional assistance, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim W. Haugh".

Timothy W. Haugh
Acting Director